

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated September 22, 2005, is respectfully requested in view of this amendment. By this amendment, claims 1 and 12 have been amended. Claims 1 and 3-21 are pending in this application.

The amendments to claims 1 and 12 describe the criteria for achieving the desired properties. These criteria are described in the specification at page 6, lines 22-25 (control of airflow), page 7, lines 5-10 (control of air permeability), page 8, line 25 - page 9, line 11, use of acoustic effectiveness to control sounds in specific frequency ranges. This describes the layers being selected to optimize an acoustic effectiveness of the lining by selecting the air flow resistance so as to provide sound absorption coefficients which are sufficient to provide sound absorption. Fig. 3 details (a curve B) the use of sound absorption at a predetermined low frequency while providing sound absorption coefficients at higher frequencies sufficiently low as to facilitate intelligibility of speech in the passenger compartment when combined with the sound absorption at the predetermined low frequency. It is respectfully submitted that the above amendments introduce no new matter within the meaning of 35 U.S.C. § 132.

In the outstanding Office Action, the Examiner rejected claims 1, 3-4, 8-9 and 12-19 under 35 U.S.C. §102(b) as anticipated by *Romesberg* (US 5,582,906). Claims 1, 5-8, 10 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over *Rozek* et al. (US 6,204,209, hereinafter *Rozek*), taken in view of *Doerfling* et al. (3,935,353 hereinafter *Doerfling*) and *Sandoe* et al. (US patent published patent application 2001/0036788, hereinafter *Sandoe*). Claim 11 was rejected under 35 U.S.C. §103(a) as unpatentable over *Romesberg*, taken in view of *Blum* et al. (US 4,581,432, hereinafter *Blum*). Claim 21 was rejected under 35 U.S.C. §103(a) as unpatentable over *Romesberg*. These rejections, as applied to the revised claims, are respectfully traversed.

### Rejections under 35 USC §102

Claims 1, 3-4, 8-9 and 12-19 were rejected under 35 U.S.C. §102(b) as anticipated by *Romesberg*. The rejection cited the various layered materials on the headliner described by *Romesberg*, including layers to prevent bleed through, adhesive, and a fiberglass mat.

### Response

Reconsideration and withdrawal of the rejection are respectfully requested. The revised claims describe:

"... an air-permeable support layer (3), an air-permeable first reinforcement layer (4) ..... back, first reinforcement, support, second reinforcement, and decorative layers ... bonded to each other with an air-permeable adhesive (7), ... a semi-permeable ... barrier layer (8) ... to make an acoustically optimisable and aesthetically-resistant vehicle rooflining, wherein the layers on the passenger compartment side ... [are] selected to optimize an acoustic effectiveness of the lining by selecting the air flow resistance so as to provide sound absorption coefficients which are sufficient to provide sound absorption at a predetermined low frequency while providing sound absorption coefficients at higher frequencies sufficiently low as to facilitate intelligibility of speech in the passenger compartment when combined with the sound absorption at the predetermined low frequency. (Claim 1; claim 12 is similar.)

*Romesberg* fails to show or suggest the use of the layers to optimize sound absorption coefficients to provide sound absorption at a predetermined low frequency while providing lower sound absorption coefficients at higher frequencies. This feature, whereby the materials are selected to optimize an acoustic effectiveness to provide the desired frequency characteristics of the sound absorption coefficients is set forth in independent claims 1 and 12. More generally, *Romesberg* further fails to suggest adjusting sound coefficients to facilitate intelligibility of speech in the passenger compartment when combined with the sound absorption at the predetermined low frequency.

Applicants therefore respectfully submit that the *Romesberg* reference does not teach or suggest all the limitations as recited in claims 10-29 of the present invention. It is therefore respectively submitted that the rejection under 35 USC § 102(b) should be withdrawn.

**Rejections of Claims 1, 5-8, 10 and 20 under 35 USC §103**

Claims 1, 5-8, 10 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over *Rozek*, taken in view of *Doerfling* and *Sandoe*. *Rozek* was cited as showing a laminated article for decorative sound absorbing panels. *Rozek* was cited as showing various materials for a laminated article. *Doerfling* was cited as showing a laminated article with a barrier or film. *Sandoe* is cited as showing the use of the roof as the semi-permeable layer or "air impenetrable back layer".

**Response**

Reconsideration and withdrawal of the rejection are respectfully requested. There is no suggestion in the combination of *Rozek*, *Doerfling* and *Sandoe* that would suggest Applicants' use of the layers to optimize sound absorption coefficients to provide sound absorption at a predetermined low frequency while providing lower sound absorption coefficients at higher frequencies. This feature, whereby the materials are selected to optimize an acoustic effectiveness to provide the desired frequency characteristics of the sound absorption coefficients is set forth in independent claim 1 and therefore applies to each of claims 1, 5-8, 10 and 20. It is further pointed out that the cited combination fails to suggest adjusting sound coefficients to facilitate intelligibility of speech in the passenger compartment when combined with the sound absorption at the predetermined low frequency.

It is noted that *Sandhoe* contradicts the present invention by using the roof as the impermeable layer. The invention, as claimed, defines "an air-impermeable back layer" which is part of the liner. This is not a trivial distinction, because as pointed out in the specification, the liner is impermeable in part to separate the car's roof and the associated adhesive from the passenger compartment. Therefore *Sandhoe* "teaches away from" the present invention.

**Rejections of Claim 11 under 35 USC §103**

Claim 11 was rejected under 35 U.S.C. §103(a) as unpatentable over *Romesberg*, taken in view of *Blum*. *Romesberg* is cited for the showing of a decorative cover sheet made of porous fabric. *Blum* is used to show non-woven material in headliners.

**Response**

Reconsideration and withdrawal of the rejection are respectfully requested. As with the rejection of claims 1, 5-8, 10 and 20, there is no suggestion in the combination of *Romesberg* and *Blum* that would suggest Applicants' use of the layers to optimize sound absorption coefficients to provide sound absorption at a predetermined low frequency while providing lower sound absorption coefficients at higher frequencies. This feature, whereby the materials are selected to optimize an acoustic effectiveness to provide the desired frequency characteristics of the sound absorption coefficients is set forth in independent claims 1 and therefore applies to claim 11. The cited combination of *Romesberg* and *Blum* fails to suggest adjusting sound coefficients to facilitate intelligibility of speech in the passenger compartment when combined with the sound absorption at the predetermined low frequency.

**Rejections of Claim 21 under 35 USC §103**

Claim 21 was rejected under 35 U.S.C. §103(a) as unpatentable over *Romesberg*.

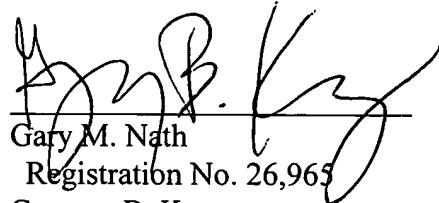
**Response**

Reconsideration and withdrawal of the rejection are respectfully requested. The cited reference fails to suggest Applicants' use of the layers to optimize sound absorption coefficients to provide sound absorption at a predetermined low frequency while providing lower sound absorption coefficients at higher frequencies. This feature, whereby the materials are selected to optimize an acoustic effectiveness to provide the desired frequency characteristics of the sound absorption coefficients is set forth in independent claims 1 and therefore applies to claim 21. *Romesberg* further fails to suggest adjusting sound coefficients to facilitate intelligibility of speech in the passenger compartment when combined with the sound absorption at the predetermined low frequency.

## CONCLUSION

In light of the foregoing, Applicants submit that the application is in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner call the undersigned.

Respectfully submitted,  
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